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Optum Services, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CURTIS JACKSON,

Plaintiff,

vs.

OPTUM SERVICES, INC., a Delaware  
Corporation; Does I-X; Roe Business Entities  
I-X,

Defendants.

Case No. 2:20-cv-00219-JCM-VCF

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE  
ANSWER OR OTHERWISE RESPOND  
TO PLAINTIFF'S COMPLAINT**

(First Request)

IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that Defendant Optum Services, Inc. ("Defendant") shall have up to and including Friday, February 21, 2020, in which to answer or otherwise respond to Plaintiff Curtis Jackson's Complaint. This stipulation is submitted and based upon the following:

1. Defendant's response to Plaintiff's Complaint is currently due on February 7, 2020.

2. Defendant contends the claims in the Complaint are subject to an arbitration agreement, which Plaintiff disputes. Plaintiff intends to file an Amended Complaint, which may affect or resolve the parties' dispute regarding whether Plaintiff's claims are subject to arbitration. The parties wish to provide Plaintiff adequate time to amend his Complaint.

1           3.       The parties have agreed to a two-week extension for Defendant to file a responsive  
2 pleading, up to and including February 21, 2020. Plaintiff will file an Amended Complaint on or  
3 before February 21, 2020.

4           4.       Defendant agrees that, should Plaintiff seek leave to file a Second Amended  
5 Complaint, Defendant shall stipulate to allow Plaintiff to do so pursuant to FRCP 15(a)(2).  
6 However, Defendant does not waive any defenses or objections to the content of such an amended  
7 pleading. Except as specifically stated herein, nothing in this Stipulation, nor the fact of entering  
8 to the same, shall be construed as waiving any claim and/or defense held by any party.

9           5.       This is the first request for an extension of time for Defendant to file a response to  
10 Plaintiff's Complaint.

11           6.       This request is made in good faith and not for the purpose of delay.

12           Dated this 7th of February, 2020.

13 KEMP & KEMP

JACKSON LEWIS P.C.

14  
15 /s/ James P. Kemp  
16 James P. Kemp, Esq., Bar No. 6375  
17 7435 W. Azure Drive, Suite 110  
18 Las Vegas, Nevada 89130

19 *Attorney for Plaintiff*

/s/ Daniel I. Aquino  
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*Attorneys for Defendant*  
*Optum Services, Inc.*

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21  
22 **ORDER**

23           IT IS HEREBY ORDERED that the deadline for Defendant to answer or otherwise  
24 respond to Plaintiff's Complaint is extended to and including Friday, February 21, 2020. Plaintiff  
25 shall file an Amended Complaint on or before Friday, February 21, 2020.

26           Dated this 10th day of February, 2020.

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Cam Ferenbach  
United States Magistrate Judge